



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB3436

Introduced 6/28/2016, by Sen. Bill Cunningham

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-7002	from Ch. 34, par. 3-7002
55 ILCS 5/3-7003	from Ch. 34, par. 3-7003
55 ILCS 5/3-7005	from Ch. 34, par. 3-7005
55 ILCS 5/3-7012.5 new	
55 ILCS 5/3-7007 rep.	

Amends the Counties Code. Makes changes to provisions concerning the Cook County Sheriff's Merit Board. Provides that the Board shall have 3 full-time members (rather than 7 members). Changes provisions concerning how members are selected for the Board. Provides that no member of the Board shall have other employment. Deletes provisions concerning members' terms and political party affiliations. Provides that Board members shall serve 3-year terms, may be reappointed by the Cook County Independent Inspector General, and no member more may serve more than 2 consecutive terms. Deletes provisions concerning compensation and provides that each member of the Board shall receive a specified annual salary. Makes changes to provisions concerning meetings of the Board. Deletes provisions concerning compensation for ranks. Adds provisions concerning complaints alleging conspiracy, excessive use of force, or misconduct. Makes other changes.

LRB099 22051 MJP 49326 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by changing  
5 Sections 3-7002, 3-7003, and 3-7005 and by adding Section  
6 3-7012.5 as follows:

7 (55 ILCS 5/3-7002) (from Ch. 34, par. 3-7002)

8 Sec. 3-7002. Cook County Sheriff's Merit Board. There is  
9 created the Cook County Sheriff's Merit Board, hereinafter  
10 called the Board, consisting of 7 members appointed by the  
11 Sheriff with the advice and consent of the county board until  
12 the effective date of this Amendatory Act of the 99th General  
13 Assembly, when the terms of the 7 members shall end. ~~, except~~  
14 ~~that on and after the effective date of this amendatory Act of~~  
15 ~~1997, the Sheriff may appoint 2 additional members, with the~~  
16 ~~advice and consent of the county board, at his or her~~  
17 ~~discretion. Of the members first appointed, one shall serve~~  
18 ~~until the third Monday in March, 1965 one until the third~~  
19 ~~Monday in March, 1967, and one until the third Monday in March,~~  
20 ~~1969. Of the 2 additional members first appointed under~~  
21 ~~authority of this amendatory Act of 1991, one shall serve until~~  
22 ~~the third Monday in March, 1995, and one until the third Monday~~  
23 ~~in March, 1997. Of the 2 additional members first appointed~~

1 ~~under the authority of this amendatory Act of the 91st General~~  
2 ~~Assembly, one shall serve until the third Monday in March, 2005~~  
3 ~~and one shall serve until the third Monday in March, 2006.~~

4 ~~Upon the expiration of the terms of office of those first~~  
5 ~~appointed (including the 2 additional members first appointed~~  
6 ~~under authority of this amendatory Act of 1991 and under the~~  
7 ~~authority of this amendatory Act of the 91st General Assembly),~~  
8 ~~their respective successors shall be appointed to hold office~~  
9 ~~from the third Monday in March of the year of their respective~~  
10 ~~appointments for a term of 6 years and until their successors~~  
11 ~~are appointed and qualified for a like term. As additional~~  
12 ~~members are appointed under authority of this amendatory Act of~~  
13 ~~1997, their terms shall be set to be staggered consistently~~  
14 ~~with the terms of the existing Board members. No more than 3~~  
15 ~~members of the Board shall be affiliated with the same~~  
16 ~~political party, except that as additional members are~~  
17 ~~appointed by the Sheriff under authority of this amendatory Act~~  
18 ~~of 1997 and under the authority of this amendatory Act of the~~  
19 ~~91st General Assembly, the political affiliation of the Board~~  
20 ~~shall be such that no more than one half of the members plus~~  
21 ~~one additional member may be affiliated with the same political~~  
22 ~~party.~~

23 Beginning on the effective date of this Amendatory Act of  
24 the 99th General Assembly, the Cook County Sheriff's Merit  
25 Board shall consist of 3 members appointed by the Cook County  
26 Independent Inspector General with the advice and consent of

1 the county board. One member shall be selected from candidates  
2 recommended by organizations whose primary purpose is prison  
3 reform and civil liberties; one member shall be selected from  
4 candidates recommended by the unions representing the sworn  
5 employees of the Sheriff's office; and one member shall be  
6 selected from candidates recommended by social service  
7 organizations that serve the top 3 geographic areas from which  
8 the highest percentages of detainees resided in the year  
9 preceding the appointment. The candidates selected for  
10 appointment shall have a demonstrated understanding of the  
11 criminal justice system. No member shall hold any other  
12 salaried public office, whether elective or appointive, nor any  
13 other office or position of profit, nor engage in any other  
14 business or employment. No member shall have held or have been  
15 a candidate for an elective public office within one year  
16 preceding his or her appointment. Board members shall serve  
17 3-year terms. The appointment of every Board member shall  
18 expire at the conclusion of their term. Board members may be  
19 reappointed by the Cook County Independent Inspector General.  
20 No Board member may serve more than 2 consecutive terms.

21 ~~The Sheriff may deputize members of the Board.~~

22 (Source: P.A. 90-447, eff. 8-16-97; 90-511, eff. 8-22-97;  
23 90-655, eff. 7-30-98; 91-722, eff. 6-2-00.)

24 (55 ILCS 5/3-7003) (from Ch. 34, par. 3-7003)

25 Sec. 3-7003. Compensation and expenses of board members.

1 Each member of the Board shall receive an annual salary set by  
2 the county board, not to exceed \$75,000 ~~compensation for each~~  
3 ~~day during which he is engaged in transacting the business of~~  
4 ~~the Board and, in addition thereto, his actual traveling and~~  
5 ~~other expenses necessarily incurred in discharging the duties~~  
6 ~~of his office. No member of the Board shall receive~~  
7 ~~compensation of more than \$25,000 in any fiscal year, except~~  
8 ~~that the Chairman shall receive compensation of no more than~~  
9 ~~\$30,000 in any fiscal year.~~ Such compensation expenses shall be  
10 paid by the county.

11 (Source: P.A. 91-722, eff. 6-2-00.)

12 (55 ILCS 5/3-7005) (from Ch. 34, par. 3-7005)

13 Sec. 3-7005. Meetings. As soon as practicable after the  
14 members of the Board have been appointed, they shall meet, ~~upon~~  
15 ~~the call of the Sheriff,~~ and shall organize by selecting a  
16 chairman and a secretary. ~~The initial chairman and secretary,~~  
17 ~~and their successors, shall be selected by the Board from among~~  
18 ~~its members for a term of 2 years or for the remainder of their~~  
19 ~~term of office as a member of the Board, whichever is the~~  
20 ~~shorter.~~ Two members of the Board shall constitute a quorum for  
21 the transaction of business, ~~except that as additional members~~  
22 ~~are appointed under authority of this amendatory Act of 1997,~~  
23 ~~the number of members that must be present to constitute a~~  
24 ~~quorum shall be the number of members that constitute at least~~  
25 ~~40% of the Board.~~ The Board shall hold regular quarterly

1 meetings and such other meetings as may be called by the  
2 chairman.

3 (Source: P.A. 90-447, eff. 8-16-97; 90-511, eff. 8-22-97;  
4 90-655, eff. 7-30-98.)

5 (55 ILCS 5/3-7012.5 new)

6 Sec. 3-7012.5. Complaints alleging conspiracy, excessive  
7 use of force, or misconduct.

8 (a) The Board shall, except for good cause shown and set  
9 forth on the record, conclude its hearing on all complaints  
10 alleging conspiracy, excessive use of force, or misconduct  
11 involving a detainee or member of the public within 120 days of  
12 the filing of the complaint.

13 (b) The Board shall, except for good cause shown and set  
14 forth on the record, render its decision on all matters  
15 involving complaints of conspiracy, excessive use of force, or  
16 misconduct involving a detainee or member of the public within  
17 60 days following the conclusion of the hearing conducted  
18 pursuant to Section 3-7012 of this Act.

19 (55 ILCS 5/3-7007 rep.)

20 Section 10. The Counties Code is amended by repealing  
21 Section 3-7007.